



Richmond Family and Youth Court Committee (RFYCC)

Annual Report

2010

RICHMOND FAMILY and YOUTH COURT COMMITTEE (RFYCC)

2010 ANNUAL REPORT

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Attachments:

- 2010 Richmond Family Court Statistics (Attachment 1)
- 2010 Richmond Youth Court Statistics (Attachment 2)
- 2010 Domestic Violence Court Statistics (Attachment 3)

Background Information

The Family and Youth Court Committee is provided for in law under the Provincial Court Act and the Youth Criminal Justice Act.

The Committee is community based and is accountable to the Mayor and City Council, as well as to the Attorney-General of British Columbia. The Richmond Family and Youth Court Committee is the longest established Committee with continuous service in the Province since its establishment in 1964.

The Committee gathers information with respect to issues raised by the Court, its officers, clients and by the community. The Committee draws upon the support of the community and advocates for improvements in the justice system. Examples of presentations with relevant programs include: Youth Criminal Justice Act, Restorative Justice Program, Victim Assistance Program, Family Maintenance Enforcement Programs, etc.

The Richmond Family and Youth Court Committee makes submissions to the Attorney-General and other Ministers on proposed changes in legislation and administrative practices, which may have an effect on the delivery of youth and family court services. The Richmond Family and Youth Court Committee works as a liaison with other Family Court Committees on issues of mutual concern. We encourage Committee members to attend conferences to further their knowledge about best practices on issues facing their community and the justice system.

To achieve the mandate of "understanding and monitoring the legislation and administrative practises relating to the justice system", volunteer members of the Committee regularly attend both family and youth court. As impartial observers, they view cases involving applications made under: the Family Relations Act, Interjurisdictional Support Orders Act, Family Maintenance Enforcement Act, Child Family and Community Services Act, and the Youth Criminal Justice Act.

Issues and concerns arising from court watch activities are reported to the Family and Youth Court Committee at monthly meetings for follow-up action to effect improvements. These may include identified gaps in service, lack of adequate resources, or concerns regarding courtroom process.

Court watch volunteers make objective observations on courtroom procedures, while respecting and maintaining the privacy of individuals involved in the proceedings.

2010 Membership

Richmond Family and Youth Court Committee (RFYCC)

Hadyn Acheson

Gerry Browne

Raj Johal

Sharon Nasadyk

Maryanne Schulz

William (Bill) Shayler

Mabel Tsang

Teresa Vozza

Council Liaison: Councillor Evelina Halsey-Brandt

CHAIRPERSON'S REPORT

Membership Overview

Following the 2010 Winter Olympics, the Richmond Family and Youth Court Committee (RFYCC) started the year with only six members. All members made time to attend and observe court proceedings, however, the coverage was well below our usual level. With the assistance of the City Clerk's Office, a call for new volunteers went out in the late spring. We were fortunate to attract two new quality volunteers who were quickly trained and who assisted with increasing our court watch coverage.

Council Liaison

Councillor Evelina Halsey-Brandt was again appointed to our Committee as the Council Liaison for 2010. She was an incredible source for information and guidance. She enthusiastically participated in our meetings and always quickly followed through with any tasks assigned to her. We thank her very much and are delighted that she will be returning as our Council Liaison for 2011.

Statistics

As part of our mandate, the Richmond Family and Youth Court Committee membership attends and observes Family Court cases. The number of cases our committee members can observe is determined by the availability of committee members to attend court on any specific day of the week. Committee members attended a total of 435 cases in 2010. Compared with the previous year, the number of observed cases only dropped by 23 cases, which was a surprise due to the reduced number of volunteers. Referring to the Family Court graphs attached, approximately 53% of the individuals who attended Family Court were accompanied by legal representation, which is a decrease from the 60% noted in 2009. Duty Counsel assisted 18% of the individuals who attended Family Court, which is an increase from the 15% noted in 2009.

With reference to the attached graphs, the Youth Court statistics show, in comparison with 2009, that although the number of observed cases increased by over 59%, the legal representation for young offenders decreased by 10%, and the attendance by an adult, other than Counsel in court, also decreased by 11%. The percentage of young female offenders in observed cases was 15% and 85% were male.

Although the number of observed cases for Family Court and Youth Court were up this year, the number of Domestic Violence cases observed this year (8) was significantly reduced from last year (49). Despite these low numbers, it is interesting to note that the trend of Domestic Violence cases being adjourned without resolution remains consistently high, at 75%.

This Committee's mandate is to observe and report on court proceedings. We do not analyze the statistics taken. Committee members who do attend court, observe the proceedings as well as the courthouse environment. They then attend monthly meetings to impart their knowledge and understanding of some of the important issues, which need to be addressed. They may also make

some recommendations for improvements or changes they feel may improve the overall court experience.

Over the last few months, this Committee, with the assistance of a consultant, has begun to explore the mandate of the Committee to determine if any changes or improvements should be made to the way we function. A more detailed account of our findings will be available in the 2011 Annual Report.

During 2010, Committee members dedicated approximately 1,975 hours to Richmond Family and Youth Court Committee activities. This represents approximately 280 hours per volunteer over 10 months, which is an outstanding achievement!

In Conclusion

At year's end, I wish to thank all members of this committee for their hard work and commitment during the year.

I am pleased that all eight members are returning in 2011 and will be joined by an additional seven new members! The new members bring a wealth of knowledge, experience and information from their varied backgrounds in youth criminal justice, law, health, education and other community involvement.

The Committee wishes to thank Mayor Malcolm Brodie and Richmond City Council for supporting us with a place to meet, an annual budget and a Committee Clerk to record our monthly meetings and prepare our Annual Report.

We extend a special thank you to the City Clerk's office for the continued guidance and support to this committee. We especially thank Jodie Allesia and Sheila Johnston for helping to keep this committee organized and for their willingness to assist with any detail at a moment's notice.

Although the committee got off to a slow start in 2010, we have slowly gained momentum throughout the year and I envision that the ideas, suggestions and enthusiasm of the members will spill over into 2011 in a very positive and meaningful way, leading to a very successful year.

Respectfully submitted,
Teresa Vozza
Chairperson 2010

Presentation in 2010

November: Discussion of research proposal with consultant Corrine deBruin.

SUB-COMMITTEE REPORTS

Court Watch Sub-Committee

Chaired by Bill Shayler

Court watch duties in 2010 were shared by Haydn Acheson, Gerry Browne, Raj Johal, Sharon Nasadyk, Maryanne Schulz, Bill Shayler, Mabel Tsang and Teresa Vozza.

Although these dedicated volunteers were very generous with their time, our court coverage was well below our usual level. Fortunately, we were able to recruit seven new members for the 2011 committee. We look forward to the assistance of these eager and knowledgeable individuals in 2011.

We are very pleased to report that two programs RFYCC advocated for, Parenting After Separation and free Duty Counsel, continue to make attending court an easier experience for people in Richmond.

Parenting After Separation: This is a mandatory program that consists of a three hour information session held prior to a family court appearance, with its primary objective being to assist parents in adjusting to separation. These sessions are free and are available in more than 50 communities in British Columbia, including Richmond.

The local offices of the Attorney General are responsible for organising and conducting the sessions. This program has been a very useful tool in speeding up the court process.

Free Duty Counsel: Since November 2003 the Legal Services Society has funded the duty counsel program. Originally it was set up as a six month pilot project. Fortunately, after nine years, it is still an integral part of the court system. As time goes by, we see judges advocating for the use of Duty Counsel. The judge often stands down a case where one or more of the claimants are not legally represented, and suggests that they talk to Duty Counsel. By receiving knowledge and advice by a qualified lawyer, the claimant can make informed decisions which often speed up the court process. This saves a lot of tax dollars.

Years ago, there was a court watcher who had a dream that Richmond court goers would attend a course called "Court 101" where people could come to be educated about family court. With the implementation of both Parenting After Separation and Free Duty Counsel, this dream has become reality.

Parenting After Separation teaches parents that children's needs must remain the focus of negotiations.

In conclusion, we wish to express our appreciation to Manjit Sandhu, Court Manager (and previous Court Watch Committee member) and her competent and courteous staff at the Richmond Courthouse.

Respectfully submitted,
Bill Shayler, Court Watch Sub-Committee

Richmond Community Services Advisory Committee (RCSAC)

Attended by Gerry Browne, Vice Chair

The Richmond Services Advisory Committee (RCSAC) serves as an association of community groups, and comprises representatives from social, economic, political and cultural agencies within the City. The RCSAC endeavours to support community-based local initiatives by creating awareness and sharing information through its network. Funded by the City of Richmond, the RCSAC has served the City since 1979 by incorporating a diverse set of goals, both short and long term, in order to improve the well-being of the community.

During 2010 the Richmond Family and Youth Court Committee was able to provide a member to attend most regular RCSAC meetings. The opportunity to be represented on the RCSAC provides a connection to the programs and services offered by a vast selection of community organizations. The following are some examples of ongoing programs, presentations and Sub-Committee activities observed:

- **Administrative Communication:**

Weekly notice to all RCSAC members with information regarding activities involving representative agencies, special events and City of Richmond issues.

Notification to members of items involving community action, such as Extreme Weather Shelter openings and closing.

- **Ongoing Programs:**

Official Community Plan

Social Planning Strategy

Communication Tool for Council

Member Survey of Financial Health

Space Needs Protocol

- **Presentations:**

City of Richmond – Social Planning Strategy

Literacy Richmond

Settlement Workers in Schools (SWIS) Program

Official Community Plan

Children First

At Home/Chez Soi Project-Vancouver

Richmond Affordable Housing

Social Purpose Real Estate Conference (report)

- Work Plan Committee's Strategy/Initiatives:

Housing – Work in collaboration with the City to address the need for stable housing and emergency shelters for the hard to house and those at risk of homelessness.

Youth – Identify opportunities to support integrated youth services delivery models that accommodate the health, social, and recreational needs of Richmond youth.

Service Development – Identify a method of continually updating service needs for Richmond.

Addiction and Mental Health – Work in an advisory capacity to the City of Richmond on issues related to addictions and mental health, and enhance services, develop partnerships and identify funding sources.

Respectfully submitted,
Gerry Browne

MANDATE OF THE FAMILY COURT COMMITTEE

Municipal authority to appoint Family Court Committees and the mandate and duties of persons appointed are set down as mandatory requirements in section (4) of the Provincial Court Act, Chapter RSBC 1996.

- (1) *A municipality must have a family court committee appointed by the municipal council in January of each year.*
- (2) *The members of a family court committee must include persons with experience in education, health, probation or welfare.*
- (3) *The members of a family court committee serve without remuneration.*
- (4) *If a court facility in which family matters are dealt with serves more than one municipality or area not in a municipality, the family court committee must be composed of representatives from each area served.*
- (5) *The municipalities involved must appoint one member of the family court committee as chair, and another as vice chair.*
- (6) *The family court committee must do the following:*
 - (a) *meet at least 4 times a year to consider and examine the resources of the community for family and children's matters, to assist the court when requested and generally, to make the recommendations to the court, the Attorney General or others it considers advisable;*
 - (b) *assist the officers and judges of the court, if requested, to provide a community resource or assistance in individual cases referred to the committee;*
 - (c) *report annually to the municipalities involved and to the Attorney General respecting their activities during the past year.*

MANDATE OF THE YOUTH CRIMINAL JUSTICE ACT

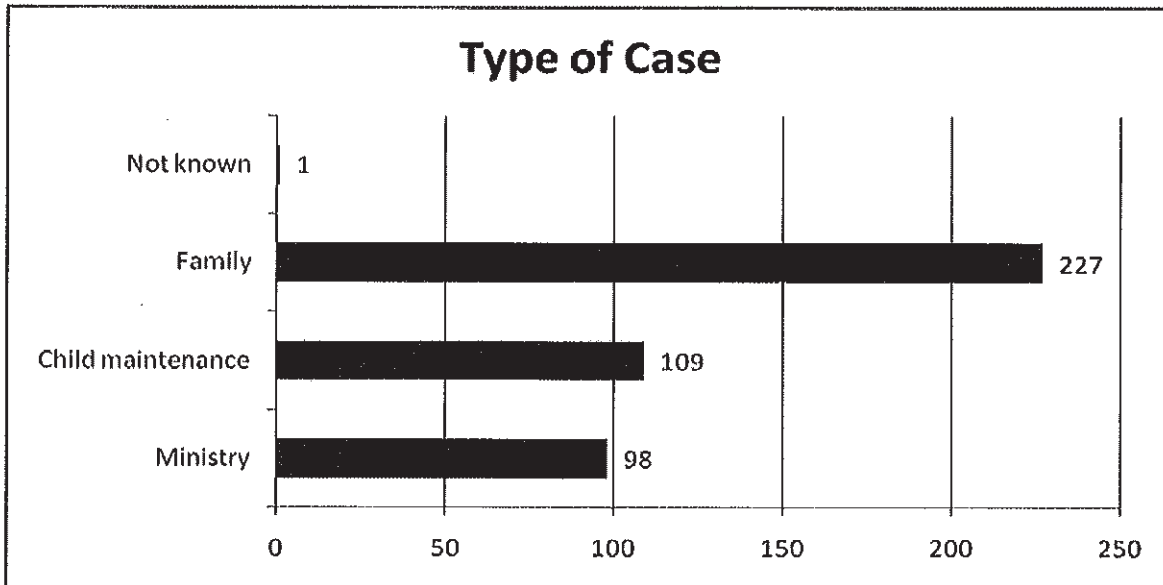
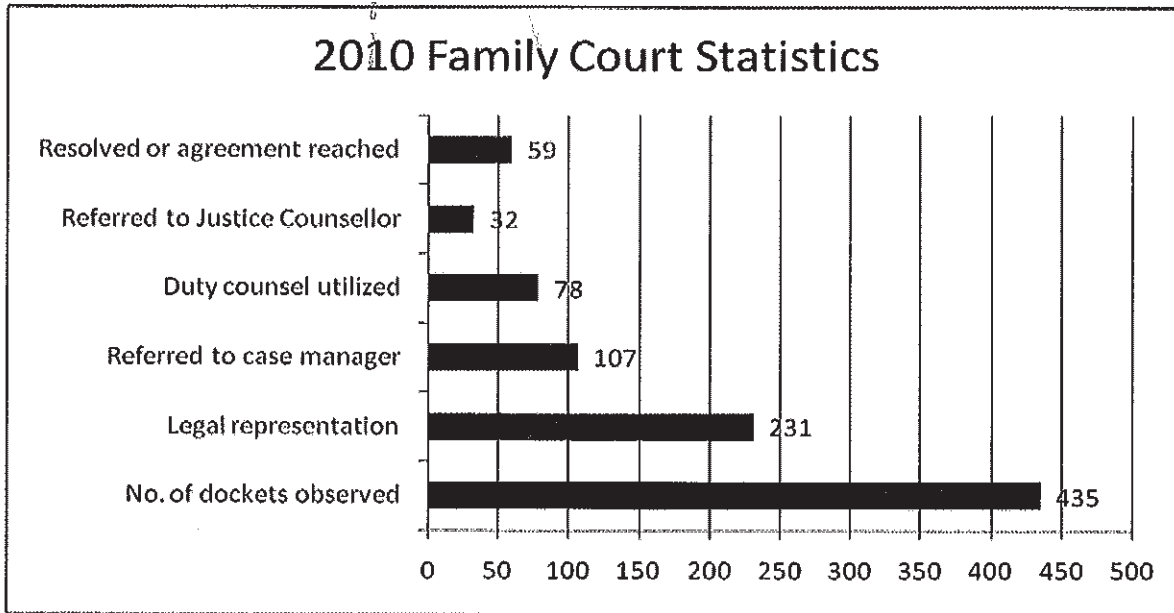
The desirability of maintaining community involvement in the provincially-administered juvenile justice system is addressed in Section 157 of the Youth Criminal Justice Act, which allows for the discretionary establishment of Youth Justice Committees in place of Juvenile Court Committees which had been serving a useful function.

Section 157 of the Youth Criminal Justice Act states that:

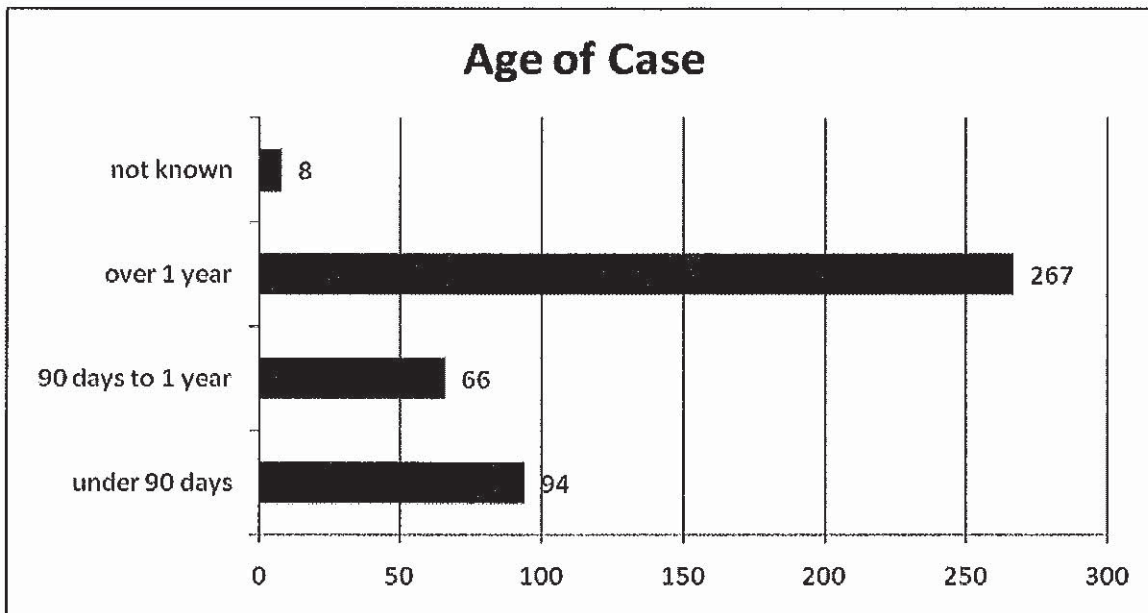
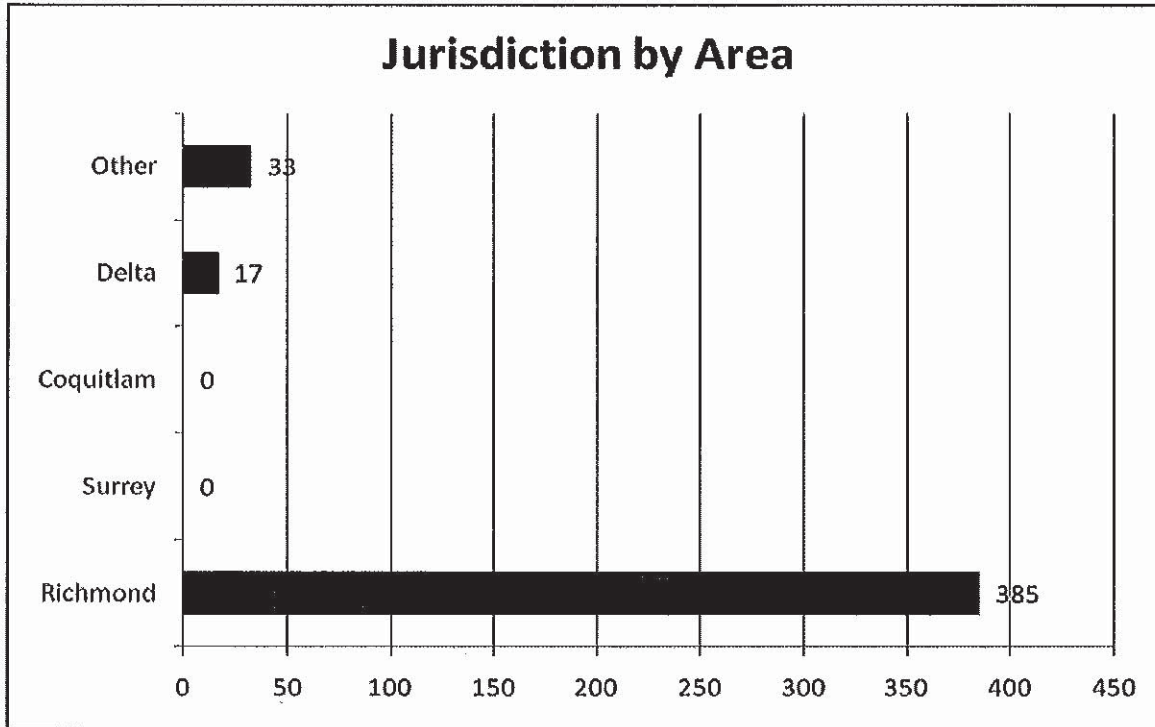
The Attorney General of Canada or a minister designated by the lieutenant governor in council of a province may establish the following types of community-based programs:

- (a) programs that are an alternative to judicial proceedings, such as victim-offender reconciliation programs, mediation programs and restitution programs;
 - (b) programs that are an alternative to detention before sentencing, such as bail supervision programs; and
 - (c) programs that are an alternative to custody, such as intensive support and supervision programs, and programs to carry out attendance orders.
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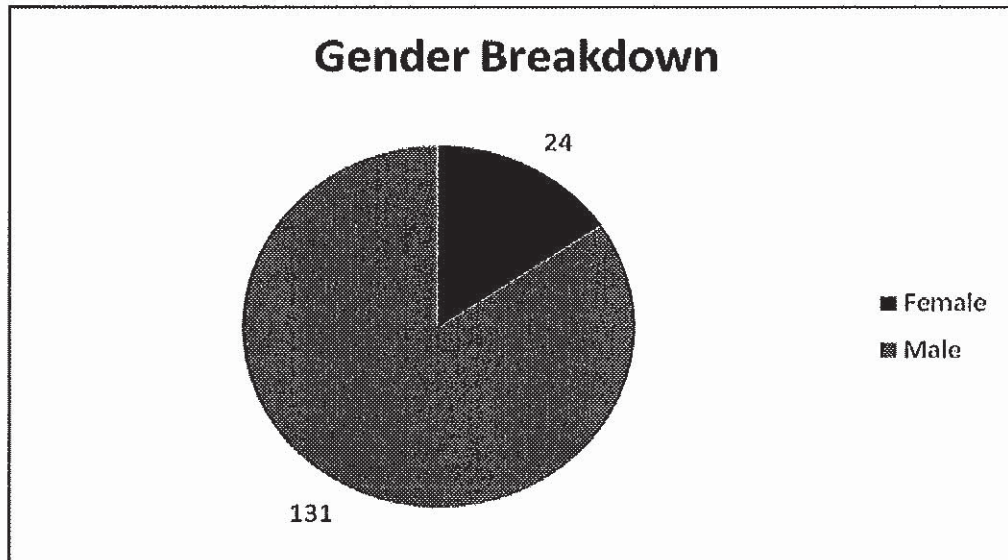
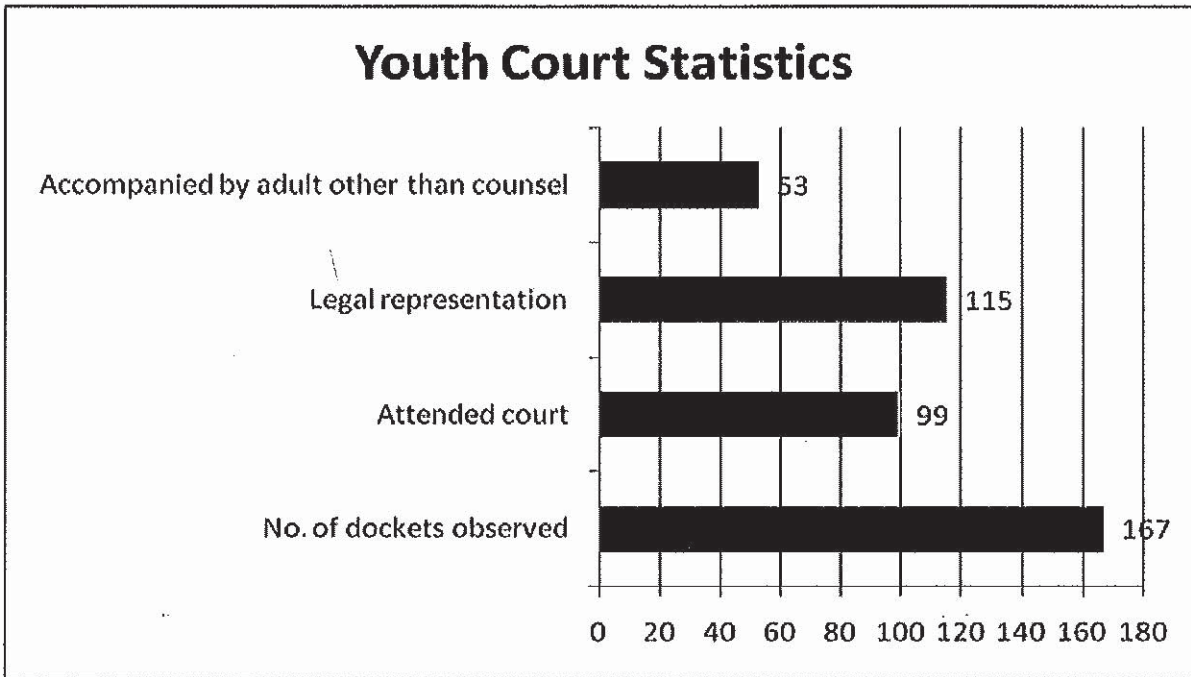
Attachment
To the 2010 Annual Report of the
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